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January 28, 2008

**VIA ECF/CM**

Honorable Ronald L. Ellis  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St., Room 1970  
New York, NY 10007

Re: *Maax Spas v. Hydrex*  
07-4080 (RJS) (RLE)

Dear Judge Ellis:

We represent the Plaintiff in the above referenced matter, and are writing with consent of Defendant to respectfully request an adjournment of the January 31, 2008 settlement conference.

On January 16, 2008 the Court Ordered the Parties to appear at a settlement conference on January 31, 2008 at 2:00pm. [D.E. 9]. Recently, the parties have been negotiating settlement and are currently in the process of finalizing an agreement. A final written agreement has been circulated and approved by the parties. The Parties' principles are now reviewing the final agreement, and anticipate signature in the coming days.

For the foregoing reasons, the Parties respectfully request a 30-day adjournment of the settlement conference. This is the first request for an adjournment. The Parties anticipate that during the 30-day adjournment, the agreement will be finalized and dismissal papers will be filed. The parties will notify the Court as soon as an agreement is finalized.

Thank you for your consideration.

Respectfully submitted,  
Collen *IP*

/s Jeffrey A. Lindenbaum

Jeffrey A. Lindenbaum (JL-1971)

cc: Counsel of Record via ECF